

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
U.S. Bankruptcy Court
Western District of NC

APR - 4 2013

Steven T. Salata, Clerk
Charlotte Division
RFV

| | | |
|-------------------------------------|---|-------------------------|
| In the Matter of: |) | Case No. 12-50413 |
| Matthew Alan Jenkins f/d/b/a |) | Chapter 7 |
| Shephard Service Company |) | |
| Debtor(s) |) | |
| |) | |
| James T. Ward Sr. and Linda Simpson |) | |
| Plaintiff(s) |) | |
| v. |) | |
| Matthew Alan Jenkins |) | Adv. Proc. No. 12-03223 |
| Defendant |) | |
| 14833 Mansa Dr. La Mirada CA. 90638 |) | |
| XXX-XX-7881 |) | |
| |) | |
| |) | |

**APPELLANT'S DESIGNATION OF ITEMS TO BE INCLUDED IN RECORD ON
APPEAL AND STATEMENT OF ISSUES ON APPEAL**

Appellant, Matthew Jenkins, respectfully designates the following documents and things to be included in the record on appeal in this case, and provides this initial statement of issues to be presented on appeal of the Court's Order on Plaintiffs Motion for Summary Judgment issued on March 13, 2013, [D.E. 20] pursuant to and within the time allowed by Federal Rule of Bankruptcy Procedure 8006.

Designation of Items to be Included in Record

1. Trustee's Complaint Objecting to Discharge filed September 26, 2012 [D.E. 1]
2. Debtor's Answer filed October 19, 2012 [D.E. 4]
3. Plaintiff's Brief in Support of Motion for Summary Judgment filed January 22, 2013. [D.E. 11, D.E. 11 Exhibit G and Exhibit O]
4. Debtor's Opposition to Motion for Summary Judgment filed February 4, 2013 [D.E. 16]
5. Plaintiff's Reply to Debtor's Opposition to Motion for Summary Judgment filed February 18, 2013 [D.E. 18].
6. Order Granting Plaintiff's Motion for Summary Judgment filed March 13, 2013 [D.E. 20]

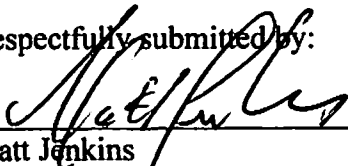
ISSUES

1. Whether the court erred by failing to dismiss the Trustee's Complaint as time-barred.
2. Whether the court erred by granting summary judgment to the Plaintiff on his 11 USC §727(a)(4)(A) claim
3. Whether the court erred by granting summary judgment to the Plaintiff on his 11 USC §727(a)(3) claim
4. Whether the court erred by granting summary judgment to the Plaintiff on his 11 USC §727(a)(2) claim

DATED: _____

4/2/13

Respectfully submitted by:



Matt Jenkins
14833 Mansa Dr.
La Mirada, CA 90638
562 882-0300
shephard68@yahoo.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Appellants Designation of Items to be Included in Record on Appeal and Statement of the Issues on Appeal was served on the following parties either by electronic service or U.S. mail, postage prepaid and addressed as follows:

U.S. Bankruptcy Administrator

Linda Simpson
402 W. Trade St. Ste 200
Charlotte N.C. 28202
704 332-7587

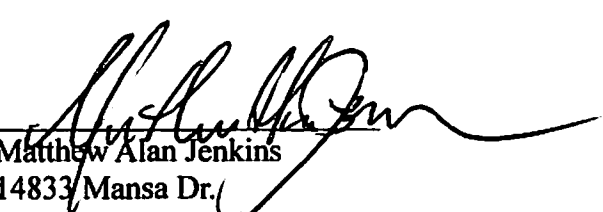
Attorney for Trustee

A. Cotton Wright
Grier Furr & Crisp PA
101 N. Tryon St. Ste 1240
Charlotte N.C. 28246
704 375-3720

U.S. Trustee

James T. Ward Sr.
404 Bethel St.
P.O. Box 240
Clover, S.C. 29710

This is the 42 day of April, 2013


Matthew Alan Jenkins
14833 Mansa Dr.
La Mirada, CA 90638
Email: shephard68@yahoo.com
562 882-0300

04/3/13

U.S. Bankruptcy Court
Western District of North Carolina
Charlotte Division
401 West Trade Street
Room 111
Charlotte, NC 28202

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Matt Jenkins
14833 Mansa Dr.
La Mirada, Ca. 90638
E-Mail: shephard68@yahoo.com
562 882-0300

RE: In re Matthew Alan Jenkins fdba Shephard Service Co.

Defendant in Adversary Proceeding: 12-03223
Main Case #: 12-50413
Chapter 7

Dear Clerk,

Enclosed for filing please find Appellant's Designation of Items to be Included in Record on Appeal and Statement of Issues on Appeal. If there are any questions, please feel free to email or call at the above listed contact information.

Thank you for your cooperation.

Sincerely yours,

Matt Jenkins

A handwritten signature in black ink, appearing to read 'Matt Jenkins', with a long horizontal flourish extending to the right.